



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nigel R.A. BEELEY *et al.*

Appl. No.: 09/003,869

Filed: January 7, 1998

For: **Use of Exendins for the Reduction
of Food Intake**

Confirmation No.: 9574

Art Unit: 1653

Examiner: Abdel MOHAMED

Atty. Docket: 18528.032

**Amendment in Conjunction
with Request for Continued Examination**

Mail Stop- RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In conjunction with the Request for Continued Examination (RCE) and the Petition for Withdrawal from issue under 37 C.F.R. § 1.313(c) submitted to the U.S. Patent and Trademark Office herewith, applicants submit the following amendments and remarks.

Amendments to the Sequence Listing are reflected in the enclosed amended sequence listing in Computer Readable Form (CRF), on floppy diskette, and a paper copy of the sequence listing.

Remarks begin on page 2 of this paper.

REMARKS

This Request for Continued Examination (RCE) is being filed solely to amend SEQ ID NO: 5 in the Sequence Listing. More specifically, SEQ ID NO: 5 has been amended in the Sequence Listing attached hereto to delete the Feature description of Xaa39 as a proline, homoproline, 3-hydroxyproline, 4-hydroxyproline, thioproline, N-alkylglycine, N-alkylpentylglycine or N-alkylalanine. Support for the amendment can be found throughout the specification as originally filed, the original claims and in the sequence listing. *See, e.g.*, specification at page 25, lines 19-24. Applicants submit that no new matter enters by way of the present amendment, and that no issues requiring further search and consideration are presented. As such, entry of the present amendment is respectfully requested.

In addition, enclosed is an amended sequence listing in Computer Readable Form (CRF), on floppy diskette, a Statement Regarding Sequence Submission, and a paper copy of the sequence listing (86 pages).

Applicant submits that the present application is now in condition for allowance, and notice of such is respectfully requested. The Examiner is encouraged to contact the undersigned should any additional information be necessary for allowance.

Respectfully submitted,



Thomas E. Holsten (Reg. No. 46,098)

David R. Marsh (Reg. No. 41,408)

Date: October 21, 2004

ARNOLD & PORTER LLP
Attn: IP Docketing
555 12th Street, N.W.
Washington, D.C. 20004-1206
202.942.5000 telephone
202.942.5999 facsimile